

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

LUCAS CALIXTO, et al.

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
THE ARMY, et al.¹,

Defendants.

Civil Action No.18-1551 (ESH)

DEFENDANTS' STATUS REPORT

In accordance with the Court's Order entered on August 13, 2018 (ECF No. 23), Defendants respectfully submit this bi-weekly status report. The Court's order requires Defendants to provide bi-weekly status reports "with any updates regarding [1] the Army's policy with respect to administrative separation procedures applicable to DEP and DTP members, as well as [2] any intention to discharge any DEP or DTP members in accordance with this policy." Order (ECF No. 23) at 2.

1. The Army's October 26, 2018 policy memorandum (ECF No. 50-1), with regard to MAVNIs who receive unfavorable MSSRs and/or MSSDs, remains in effect and has not been changed or otherwise amended.

2. As of the date of this report, the Army has not initiated any administrative separations pursuant to the October 26, 2018 policy memorandum (ECF No. 50-1).

¹ The Defendants in this case are the United States Department of the Army and Mark Esper, in his official capacity as Secretary, U.S. Department of the Army. Mark Esper is no longer Secretary of the Army. Pursuant to Federal Rule of Civil Procedure 25(d), Ryan D. McCarthy, the current Acting Secretary of the Army, is automatically substituted as the Defendant in this action for former Secretary of the Army Dr. Mark T. Esper.

Dated: September 3, 2019

Respectfully submitted,

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